

**SC 250/2025**  
**STATE Vs. MUNIP MAHTO AND ANR**  
**FIR no. 246/2024**  
**PS Crime Branch-West Delhi**

**05.01.2026**

Pr: Ld. Substituted Addl. PP for the State.  
Ld. Counsel for the applicant/accused.

File perused. Heard.

This is an application u/s 483 of BNSS filed on behalf of the applicant/accused Baljeet for grant of interim bail.

Reply filed on behalf of the IO. Copy supplied.

It is submitted by Ld. Counsel that the applicant is innocent and has been falsely implicated in the present case. It is further submitted that the 1 ½ years infant son of the applicant/accused namely Rudra is suffering from Febrile Seizure, in which body of the infant child suffers from uncontrollable shaking, eye rolling or stiffening. It is further submitted that the wife of applicant/accused has visited to Umesh Medical Central, Uttam Nagar, Delhi, where doctor has prescribed him medications and advised to consult a Neurologist and infant be kept under observation in Hospital for 48 hours. It is further submitted that the condition of the infant is deteriorating day by day and he needs proper care & treatment. It is further submitted that the presence of the applicant is required to take care of his son and wife of the applicant needs close attendant besides in emergency/odd hours. It is further submitted

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that the presence of the applicant is also required to arrange all the medications and fund required for treatment. With these submissions, prayer is made for grant of interim bail.

On the other hand Ld. Addl. PP for the state has opposed the present application and submitted that there is no requirement of interim bail in favour of applicant/accused. With these submissions, Ld. Chief PP for the state prays for the dismissal of the present application.

In the present case, allegations against the accused are u/s 20/29 of NDPS Act. It has been held by the Hon'ble High Court of Delhi in *“Athar Pervez vs State” (Crl. Ref. 1/2015, decided on 26.01.2016)* that the power to grant interim bail is to be sparingly used, when intolerable grief and suffering in the given facts may justify temporary release. It has been further held that while rejecting or accepting an application for grant of “interim” bail, the trial Court will keep in mind the strict provisions of NDPS Act and only when there are compelling reasons which would justify and require the grant of “interim” bail, should the application be allowed. It was further held that the Court must take into account whether or not the accused/convict is likely to commit or indulge in similar violations.

The medical treatment documents of the son of the applicant for the alleged illness are duly verified and found genuine. Earlier also application was granted interim bail and he

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has surrendered himself within stipulated period. Accordingly, without going into merits of the case, on humanitarian grounds, the applicant/ accused is admitted to interim bail for one week from his release on furnishing of personal bond in sum of Rs.30,000/- along with one surety in the like amount on the following conditions:

1. That the accused shall provide his mobile number to the concerned IO/SHO on which accused may be contacted, if required or necessary. Accused shall ensure that the said number shall be kept active and switched on all the times.
2. That accused shall not indulge into similar offence or any other offence in the event of release on interim bail.
3. That accused shall not tamper with the evidences in any manner.
4. That in case of change of residential address, accused shall intimate the court about the same.
5. That accused will surrender before the authorities concerned after the expiry of one week from the day of release.

Nothing stated herein above shall tantamount to be an expression of final opinion on the merits of the case. With above observations, application stands disposed off accordingly.

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Copy of the order be given dasti as prayed for. Copy of the order be also sent to the concerned Jail Superintendent for intimation and record.

**(SATVIR SINGH LAMBA)**  
**ASJ/SPECIAL JUDGE (NDPS),**  
**WEST DISTRICT, DELHI/05.01.2026**